

REMARKS

By way of this response, claims 1 and 28 have been amended. Claims 1, 2, 4-11, 15, 28, and 29 remain pending and at issue, with claims 1, 15, and 28 being independent. In view of the foregoing amendments and the following remarks, the applicants respectfully request reconsideration of this application.

Power of Attorney

As an initial matter, the applicants submit herewith a new Power of Attorney and Statement Under 37 CFR 3.73(b), updating the attorneys of record. Please update the application records accordingly.

The Rejections under 35 U.S.C. § 102

Claims 1, 2, 7-11, 15, 28, and 29 were rejected as anticipated by Allen (U.S. Patent No. 5,899,303) and claims 4-6 were rejected as unpatentable over Allen in view of Clark (U.S. Patent No. 2,878,532). It is respectfully submitted that all claims are allowable over these patents for the reasons set forth below.

As amended, the independent claims are generally directed to a door for at least partially covering a doorway defined by a wall and a lower surface. In particular, independent claim 1 includes a first door panel having a surface that faces a doorway and includes a first seal having a first sealing surface that faces the surface of the door panel and is spaced away from the surface. A second seal is disposed to allow relative movement between the first seal and the second seal, and the second seal includes a second sealing surface interposed between a second attachment end and a second distal end, such that the first door panel in a doorway blocking position causes the first sealing surface to face the second sealing surface and positions the second distal end between the first distal end and at least one of the first door panel and the first attachment end. Independent claim 15 includes a first seal having a first sealing surface that faces the surface of the first door panel, and

independent claim 28 recites a first sealing surface that faces and is spaced from the surface of the first door panel.

While Allen generally teaches the use of seals in connection with translating door panels, Allen fails to disclose the seal and door panel configuration recited in claim 1. In particular, among other deficiencies, Allen fails to disclose a seal including a first sealing surface facing and spaced away from the surface of the door panel. On the contrary, the examples referenced in the official action (i.e., FIGS. 10A, 10B, 12A, and 12B of Allen) illustrate seals having sealing surfaces configured to be perpendicular to the surface of the door panel rather than facing a surface of a door panel as recited in claim 1. Furthermore, Allen clearly does not teach or suggest that the facing sealing surface is spaced away from the surface of the door.

In the present action the examiner contends that “the rectangular seals [of Allen] have four sides whereby all sides are ‘sealing surfaces’ per se with one of them ‘facing’ the doorway.” Contrary to this assertion, while Allen does disclose a seal with four surfaces, Allen does not teach or suggest a seal with four sealing surfaces. This is because Allen discloses a first seal with only one surface in “sealing” relationship with the second seal. It is well established that each term in a claim has meaning, and that one may not simply eliminate or ignore a claim term when construing the claim. See Johnston v. IVAC Corp., 885 F.2d 1574, 12 U.S.P.Q.2d 1382, 1384 (Fed. Cir. 1989). Accordingly, the examiner cannot ignore the fact that the claims recite a first seal with a sealing surface facing the surface of the door, while Allen merely discloses a seal with four surfaces, only one of which is actually a sealing surface.

For purposes of illustrating the above-noted deficiency of Allen and with reference to FIG. 12A from Allen (below), the surfaces of the seals 124 and 126 that engage or contact one another (i.e., the sealing surfaces indicated by the arrow A) are perpendicular to the

surface of the doors 94 or 68. The only surface of the seal 126 that faces the surface of the door 94 (i.e., the surface indicated by the arrow B) is not a sealing surface, and furthermore is not spaced away from the surface of the door as further claimed in claims 1 and 28. Finally, the surface C of the seal is not a sealing surface (i.e., it does not engage or contact the seal 124), and moreover, it does not face the surface of the door 94, but rather faces the surface of the opposite door 68.

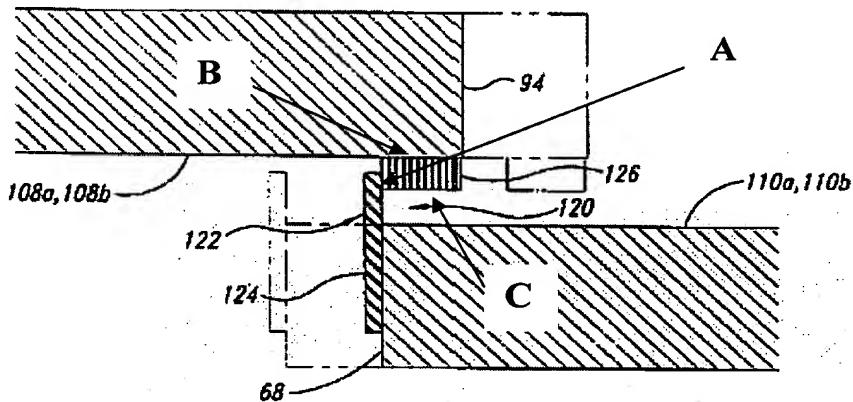


Fig. 12A

Thus, it is clear from the foregoing, that Allen fails to disclose at least the seal configuration recited in claim 1 and, thus, fails to disclose every limitation recited in claim 1. As a result, Allen fails to anticipate the apparatus recited in claim 1. Accordingly, the applicants respectfully request the withdrawal of the anticipation rejection of claim 1 based on Allen and submit that claim 1 and claims 2 and 4-11 dependent thereon are now in condition for allowance.

The remaining independent claims 15 and 28 are allowable for at least the reasons set forth above in connection with claim 1. Accordingly, claims 15, 28 and 29 are also in condition for allowance.

Conclusion

For at least the foregoing reasons, it is respectfully submitted that the pending claims are in condition for allowance. If, for any reason, the examiner is unable to allow the application in the next official action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455.

Respectfully submitted,

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